

## **Public Notice – Environmental Project**

### **PURPOSE OF NOTICE:**

The Department of Environmental Quality seeks public comment on the state's response to the environmental aspects of a proposed project in the Virginia coastal waters.

### **PUBLIC COMMENT PERIOD:**

December 30, 2009 to January 22, 2010

### **TYPE OF RESPONSE:**

Federal Consistency Determination

DEQ is reviewing a proposed federal action to determine if it is consistent with the Virginia Coastal Resources Management Program (VCP) established pursuant to the U.S. Coastal Zone Management Act. The VCP seeks to protect the quality of air, water or other natural resources in Virginia's coastal area.

### **NAME OF AGENCY PROPOSING THE PROJECT:**

DOC/NOAA/National Marine Fisheries Service

### **PROJECT DESCRIPTION:**

The National Marine Fisheries Service (NMFS) proposes to implement Amendment 3 to the Northeast Skate Complex Fishery Management Plan (FMP). The Northeast Skate Complex includes: winter skate; little skate; rosette skate; clearnose skate; smooth skate; thorny skate; and barndoor skate. The FMP establishes biological reference points and overfishing definitions for each species, and implements rebuilding plans for barndoor and thorny skates. Amendment 3 is required to bring the FMP into compliance with the requirements of the reauthorized Magnuson-Stevens Fishery Conservation and Management Act, including provisions for annual catch limits (ACLs) and accountability measures (AMs). The amendment is also intended to implement a rebuilding plan for smooth skates, which have become overfished. Amendment 3 proposes: (1) an ACL for the skate complex of 30,643 metric tons (mt); (2) an annual catch target of 22,982 mt; (3) overall total allowable landings (TAL) of 9,427 mt allocated between the skate wing and skate bait fisheries; (4) reduced possession limits for each fishery; (5) an annual review and specifications process; and (6) AMs for TAL and ACL overages. NMFS finds Amendment 3 to the Northeast Skate Complex FMP consistent to the maximum extent practicable with the enforceable policies of the Virginia Coastal Resources Management Program (also called the Virginia Coastal Zone Management Program).

### **HOW TO COMMENT:**

DEQ accepts comments from the public by e-mail, fax or postal mail. All comments must include the name, address and telephone number of the person commenting and be received by DEQ within the comment period. The public may review the project documents at DEQ's central office in Richmond.

### **CONTACT FOR PUBLIC COMMENTS, DOCUMENT REQUESTS AND ADDITIONAL INFORMATION:**

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